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12/16/02

DOCKET NO.: NIH-0071

PATENT

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Application of:

Brian R. Murphy et al.

Serial No.: 09/083,793

Group Art Unit: 1648

Filing Date: May 22, 1998

Examiner: S. Brown

For: PRODUCTION OF ATTENUATED PARAINFLUENZA VIRUS VACCINES
FROM CLONED NUCLEOTIDE SEQUENCES

DATE OF DEPOSIT: December 13, 2002

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REGISTRATION NO: 38,515Commissioner for Patents
Washington DC 20231

Sir:

PRELIMINARY AMENDMENT PURSUANT TO 37 CFR § 1.115

This is a preliminary amendment filed in connection with the above-identified application. An Official Action on the merits has not yet been issued. Accordingly, applicants respectfully request entry of this amendment.

AMENDMENTIn the claims:

91. An isolated infectious self-replicating PIV particle which comprises a recombinant human or bovine PIV genome or antigenome, a N protein, a P protein, and a L protein.



FACSIMILE

DATE: December 13, 2002

OFFICIAL PAPER

Please deliver this and the following pages to:

Examiner: **M. Mosher**

U.S.P.T.O. Group Art Unit: **1648**

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Attached hereto is/are the following documents:

- 1) Preliminary Amendment
- 2)
- 3)

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Sir:

REPLY TRANSMITTAL LETTER

Transmitted herewith for filing in the above-identified patent application is:

A Preliminary Amendment.

DOCKET NO.: NIH-0071

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PATENT

FEES CALCULATION

No Additional Fee is Due.

			SMALL ENTITY		NOT SMALL ENTITY		
	REMAINING AFTER AMENDMENT	HIGHEST PAID FOR	EXTRA	RATE	Fee	RATE	Fee
TOTAL CLAIMS	142	143 (20 MINIMUM)		\$9 EACH	\$	\$18 EACH	\$
INDEP. CLAIMS	7	7 (3 MINIMUM)		\$42 EACH	\$	\$84 EACH	\$
FIRST PRESENTATION OF MULTIPLE DEPENDENT				\$140	\$	\$280	\$
<input type="checkbox"/> ONE MONTH EXTENSION OF TIME				\$55	\$	\$110	\$
<input type="checkbox"/> TWO MONTH EXTENSION OF TIME				\$200	\$	\$400	\$
<input type="checkbox"/> THREE MONTH EXTENSION OF TIME				\$460	\$	\$920	\$
<input type="checkbox"/> FOUR MONTH EXTENSION OF TIME				\$720	\$	\$1440	\$
<input type="checkbox"/> FIVE MONTH EXTENSION OF TIME				\$980	\$	\$1960	\$
<input type="checkbox"/> LESS ANY EXTENSION FEE ALREADY PAID				minus	(\$)	minus	(\$)
<input type="checkbox"/> TERMINAL DISCLAIMER				\$55	\$	\$110	\$
<input type="checkbox"/> OTHER FEE OR SURCHARGE AS FOLLOWS:							
TOTAL FEE DUE					\$		\$0

- The Commissioner is hereby requested to grant an extension of time for the appropriate length of time, should one be necessary, in connection with this filing or any future filing submitted to the U.S. Patent and Trademark Office in the above-identified application during the pendency of this application. The Commissioner is further authorized to charge any fees related to any such extension of time to Deposit Account 23-3050. This sheet is provided in duplicate.
 - The Commissioner is authorized to charge payment of the following fees and to refund any overpayment associated with this communication or during the pendency of this application to Deposit Account 23-3050. This sheet is provided in duplicate.
 - The foregoing amount due for filing this paper.
 - Any additional filing fees required, including fees for the presentation of extra claims under 37 CFR § 1.16.
 - Any additional patent application processing fees under 37 CFR § 1.17 or 1.20(d).

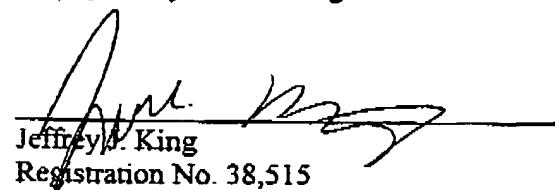
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PATENT

SHOULD ANY DEFICIENCIES APPEAR with respect to this application, including deficiencies in payment of fees, missing parts of the application or otherwise, the U.S. Patent and Trademark Office is respectfully requested to promptly notify the undersigned.

Date: December 13, 2002


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Registration No. 38,515

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